

MESSAGE NO: 6167204 MESSAGE DATE: 06/16/2006

MESSAGE STATUS: Active CATEGORY: Antidumping
TYPE: LIQ-Liquidation PUBLIC ☒ NON-PUBLIC ☐
SUB-TYPE:

FR CITE: FR FR CITE DATE:

REFERENCE
MESSAGE #
(s):

CASE #(s): A-570-894

EFFECTIVE DATE: COURT CASE #:

PERIOD OF REVIEW: TO

PERIOD COVERED: 09/21/2004 TO 02/28/2006

Notice of Lifting of Suspension Date:

TO: { Directors Of Field Operations, Port Directors }

FROM: { Director AD/CVD & Revenue Policy & Programs }

RE: LIQUIDATION INSTRUCTIONS FOR CERTAIN TISSUE PAPER PRODUCTS FROM
CHINA (A-570-894-004/005/006/008/011/013) EXCEPT ENTRIES SUBJECT TO INJUNCTION

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CASES: A - 570 - 894

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PERIOD COVERED: 09 21 2004 TO 02 28 2006

LIQ SUSPENSION DATE:

TO: DIRECTORS OF FIELD OPERATIONS
PORT DIRECTORS

FROM: DIRECTOR, SPECIAL ENFORCEMENT

RE: LIQUIDATION INSTRUCTIONS FOR CERTAIN TISSUE PAPER
PRODUCTS FROM CHINA (A-570-894-004/005/006/008/011/013)
EXCEPT ENTRIES SUBJECT TO INJUNCTION

1. THE DEPARTMENT OF COMMERCE ("COMMERCE") DOES NOT
AUTOMATICALLY CONDUCT ADMINISTRATIVE REVIEWS OF ANTIDUMPING DUTY
ORDERS. INSTEAD, REVIEWS MUST BE REQUESTED IN ACCORDANCE WITH
SECTION 351.213 OF COMMERCE'S REGULATIONS.

2. COMMERCE HAS NOT RECEIVED A REQUEST FOR AN ADMINISTRATIVE
REVIEW OF THE ANTIDUMPING DUTY ORDER FOR THE FIRMS NOTED BELOW
DURING THE PERIOD LISTED BELOW. THEREFORE, IN ACCORDANCE WITH
SECTION 351.212(c) OF COMMERCE'S REGULATIONS, YOU ARE TO ASSESS

ANTIDUMPING DUTIES ON MERCHANDISE ENTERED, OR WITHDRAWN FROM WAREHOUSE, FOR CONSUMPTION AT THE CASH DEPOSIT OR BONDING RATE IN EFFECT ON THE DATE OF ENTRY EXCEPT AS OTHERWISE ENJOINED (SEE PARAGRAPH 3 BELOW).

CERTAIN TISSUE PAPER PRODUCTS FROM THE PEOPLE'S REPUBLIC OF CHINA
PERIOD: 09/21/2004 02/28/06

LIQUIDATE ALL ENTRIES FOR THE FOLLOWING FIRMS:

BA MARKETING & INDUSTRIAL CO. LTD.	A-570-894-004
EVERKASTUBG BUSINESS & INDUSTRY CORPORATION, LTD.	A-570-894-005
FUJIAN NANPING INVESTMENT & ENTERPRISE CO.	A-570-894-006
FUZHOU LIGHT INDUSTRY IMPORT & EXPORT CO., LTD.	A-570-894-008
QINGDAO WENLONG CO., LTD.	A-570-894-011
NINGBO SPRING STATIONARY LIMITED COMPANY	A-570-894-013

3. IN ASSESSING THE ANTIDUMPING DUTIES FOR SHIPMENTS MADE BY THE EXPORTER OR PRODUCER DESCRIBED ABOVE IN PARAGRAPH 2, PLEASE BE ADVISED THAT ANY ENTRIES OF CERTAIN TISSUE PAPER PRODUCTS FROM THE PEOPLE'S REPUBLIC OF CHINA THAT WERE ENTERED, OR WITHDRAWN FROM WAREHOUSE FOR CONSUMPTION, BY OR ON BEHALF OF CLEO INC. OR TARGET CORPORATION, ON OR AFTER 09/21/2004 THROUGH 03/19/2005 WILL REMAIN SUBJECT TO A PRELIMINARY INJUNCTION ENJOINING LIQUIDATION OF ANY SUCH ENTRIES. ACCORDINGLY, UNTIL FURTHER NOTICE, DO NOT LIQUIDATE SUCH ENTRIES OF SUBJECT MERCHANDISE EXPORTED OR PRODUCED BY THE COMPANIES LISTED ABOVE THAT WERE ENTERED, OR WITHDRAWN FROM WAREHOUSE FOR CONSUMPTION, BY OR ON

BEHALF OF CLEO INC. OR TARGET CORPORATION, ON OR AFTER 09/21/2004 THROUGH 03/19/2005.

4. ENTRIES OF MERCHANDISE OF FIRMS NOT LISTED ABOVE SHOULD NOT BE LIQUIDATED UNTIL YOU RECEIVE SPECIFIC INSTRUCTIONS AFTER THE COMPLETION OF THE ANTIDUMPING REVIEW. CONTINUE TO SUSPEND LIQUIDATION OF ALL ENTRIES OF MERCHANDISE THAT WERE EXPORTED OR PRODUCED BY THE UNLISTED FIRMS AND ENTERED, OR WITHDRAWN FROM WAREHOUSE, FOR CONSUMPTION DURING THIS PERIOD.

5. THESE INSTRUCTIONS CONSTITUTE THE IMMEDIATE LIFTING OF SUSPENSION OF LIQUIDATION OF ENTRIES FOR THE FIRMS AND PERIOD LISTED ABOVE. YOU SHALL CONTINUE TO COLLECT CASH DEPOSITS OF ESTIMATED ANTIDUMPING DUTIES FOR SUBSEQUENT ENTRIES OF THE SUBJECT MERCHANDISE AT THE CURRENT RATES.

6. THE ASSESSMENT OF ANTIDUMPING DUTIES BY CUSTOMS AND BORDER PROTECTION ON SHIPMENTS OR ENTRIES OF THIS MERCHANDISE IS SUBJECT TO THE PROVISIONS OF SECTION 778 OF THE TARIFF ACT OF 1930, AS AMENDED. SECTION 778 REQUIRES THAT CBP PAY INTEREST ON OVERPAYMENTS OR ASSESS INTEREST ON UNDERPAYMENTS OF THE REQUIRED

AMOUNTS DEPOSITED AS ESTIMATED ANTIDUMPING DUTIES. THE INTEREST PROVISIONS ARE NOT APPLICABLE TO CASH OR BONDS POSTED AS ESTIMATED ANTIDUMPING DUTIES BEFORE THE DATE OF PUBLICATION OF THE ANTIDUMPING DUTY ORDER. INTEREST SHALL BE CALCULATED FROM THE DATE OF PAYMENT OF ESTIMATED ANTIDUMPING DUTIES THROUGH THE DATE OF LIQUIDATION. THE RATE AT WHICH SUCH INTEREST IS PAYABLE IS THE RATE IN EFFECT UNDER SECTION 6621 OF THE INTERNAL REVENUE CODE OF 1954 FOR SUCH PERIOD.

7. UPON ASSESSMENT OF ANTIDUMPING DUTIES, CBP SHOULD REQUIRE THAT THE IMPORTER PROVIDE A REIMBURSEMENT STATEMENT AS DESCRIBED IN SECTION 351.402(f)(2) OF THE COMMERCE DEPARTMENT REGULATIONS. THE IMPORTER SHOULD PROVIDE THE REIMBURSEMENT STATEMENT PRIOR TO

LIQUIDATION OF THE ENTRY. IF THE IMPORTER CERTIFIES THAT IT HAS AN AGREEMENT WITH THE EXPORTER TO BE REIMBURSED ANTIDUMPING DUTIES, CBP SHOULD DOUBLE THE ANTIDUMPING DUTIES IN ACCORDANCE WITH THE ABOVE-REFERENCED REGULATION. ADDITIONALLY, IF THE IMPORTER DOES NOT RESPOND TO YOUR FORMAL REQUEST FOR THE REIMBURSEMENT STATEMENT PRIOR TO LIQUIDATION, CBP SHOULD PRESUME REIMBURSEMENT AND DOUBLE THE ANTIDUMPING DUTIES DUE.

8. IF THERE ARE ANY QUESTIONS REGARDING THIS MATTER BY CBP OFFICERS, THE IMPORTING PUBLIC OR INTERESTED PARTIES, PLEASE CONTACT DAVINA HASHMI OR RON TRENTAM AT OFFICE OF AD/CVD

ENFORCEMENT, IMPORT ADMINISTRATION, INTERNATIONAL TRADE
ADMINISTRATION, U.S. DEPARTMENT OF COMMERCE; AT (202) 482-0984 OR
(202) 482-3577, RESPECTIVELY (GENERATED BY O9:BW).

9. THERE ARE NO RESTRICTIONS ON THE RELEASE OF THIS INFORMATION.

CATHY SAUCEDA

Company Details

*Party Indicator Value:

I = Importer, M = Manufacturer, E = Exporter, S = Sold To Party